

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Annex  
4041 N. Richards Street, Box 12436  
Milwaukee, Wisconsin 53212-0436  
TELEPHONE 414-229-0800  
FAX 414-229-0810

May 22, 1998

John Fengler  
Sheboygan Warehouse  
410 Bluff Avenue  
Sheboygan, WI 53081

SUBJECT: Case closure, Sheboygan Warehouse & Forwarding, 1009 South 11<sup>th</sup> Street,  
Sheboygan, file reference FID #460126480 RR-LUST

Dear Mr. Fengler

I have reviewed your case file based on documents submitted by Miller Engineers. Based on this information I agree with Miller in that no further work is needed. The department reserves the right to reopen this case pursuant to s. NR726.09, Wisconsin Administrative Code (WAC), should additional information regarding site conditions indicate contamination on or from the site poses a threat to public health, safety or welfare or the environment.

To complete the closure of this site, you must place a groundwater use restriction on the property deed at the county register of deeds office which specifies the legal description of the property having the remaining contamination, the location, type, and concentration of the contaminants and includes the following language:

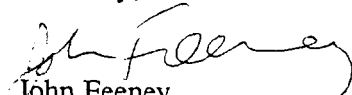
Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Construction of wells where water quality exceeds the drinking water standards in ch. NR809 is restricted by chs. NR811 and NR812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property.

You are required to properly handle and dispose of any remaining contaminated soil that may be uncovered due to construction at this site in the future.

Within 60 days all of the groundwater monitoring wells at the site must be abandoned in accordance with WAC NR 141 and the completed abandonment forms must be submitted to the department. Once the department receives the abandonment forms, this case will be tracked as closed on our computer tracking system.

If you have any questions about this letter, call me at 414-229-0850.

Sincerely,

  
John Feeney  
Hydrogeologist

cc: Miller Engineers  
SER File

## GROUNDWATER USE RESTRICTION

In Re: City of Sheboygan Original Plat, south ½ of Lots 1 and 2, and all of Lots 3, 4, 5, and 6, Block 244.

STATE OF WISCONSIN )  
 )  
COUNTY OF Sheboygan ) SS

Name and Return Address

WHEREAS, Wm H. Schmidt is the owner of the above-described property.

WHEREAS, one or more unleaded gasoline discharges have occurred at this property. Benzene contaminated groundwater above NR 140 enforcement standards exists on this property at the following location(s): within the area where contaminated soil was excavated, described as the western 35 to 40 feet of the transport loading area, bounded by the Illinois Avenue right of way on the north and the South 11th Street right of way on the west; the south limit of the excavation being 8 to 18 feet north of the building. Benzene concentration was 220 ppb on April 11, 1997, the most recent sampling date. Contamination was not detected in the wells surrounding the excavation on April 11, 1997. Contaminated soil was excavated to below 10 mg/kg.

Parcel Identification Number (PIN)

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 4<sup>th</sup> day of December, 1998.

Signature:

William H. Schmidt

Printed Name: WILLIAM H. SCHMIDT

Subscribed and sworn to before me  
this 4<sup>th</sup> day of Dec., 1998.

Loren M. Russo

Notary Public, State of WI

My commission to 8-18-2000

This document was drafted by the Wisconsin Department of Natural Resources.

\\DATA\WPENVA\10000\10686\GWUSERES.FRM

Register ID: 3

COUNTER CUSTOMER - NO NAME

TRANSACTION #: 007319

12-09-1998 9:28 AM

DOCUMENT # 1527146

Type of Document

MISCELLANEOUS

# of Pages 2

Recording Fee: 12.00

TOTAL: 12.00

CHECK: 12.00

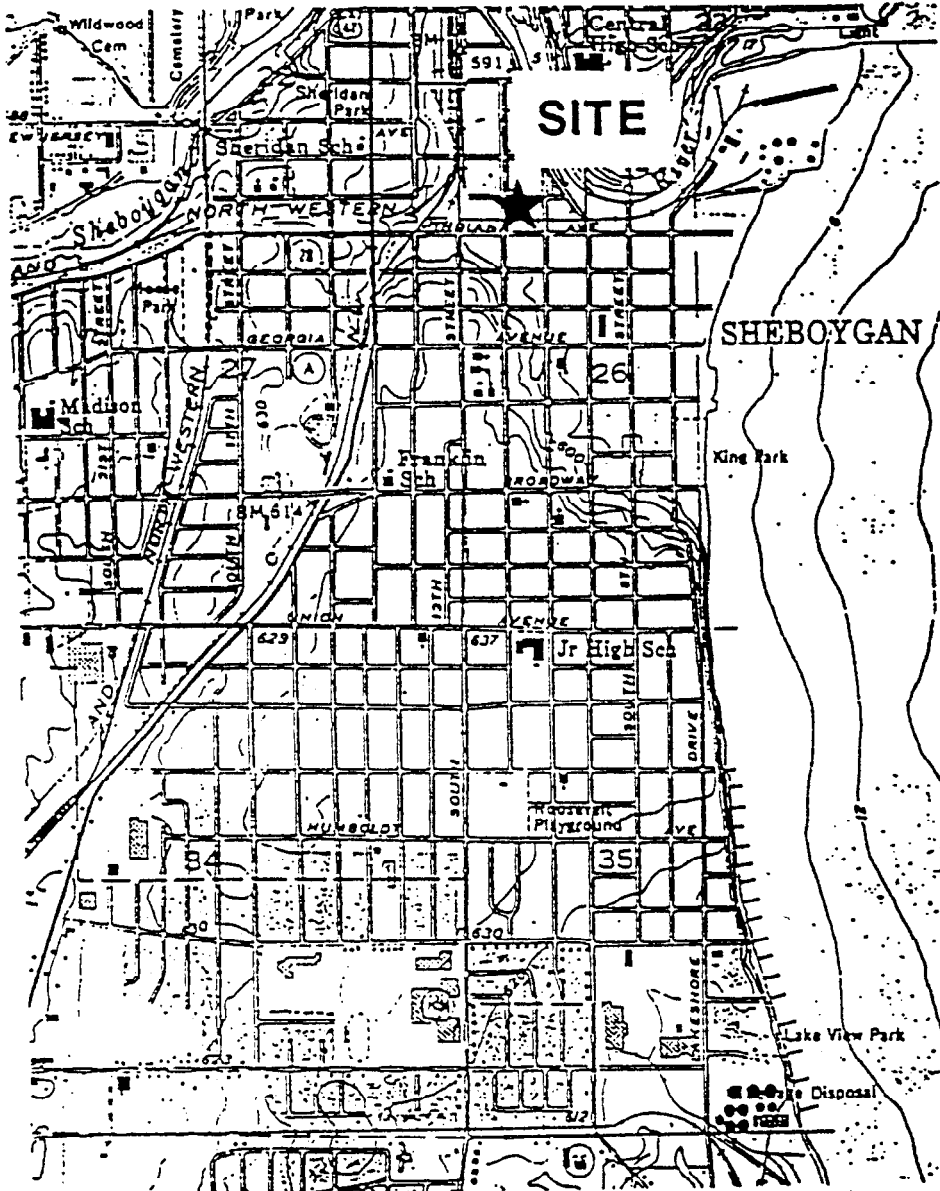
THANK YOU

DARLENE J. NAVIS

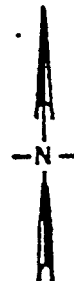
SHERBOGAN COUNTY

REGISTER OF DEEDS

# SHEBOYGAN, WISCONSIN



SHEBOYGAN SOUTH QUADRANGLE  
WISCONSIN - SHEBOYGAN CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)  
NW/4 SHEBOYGAN SOUTH 15' QUADRANGLE



0' 1000' 2000'



SCALE 1"=2000'

CLIENT: SHEBOYGAN WAREHOUSE AND FORWARDING  
JOB: SHEBOYGAN WAREHOUSE AND FORWARDING  
LOCATION: 1009 SOUTH 11TH. STREET  
SHEBOYGAN, WISCONSIN

Date  
2-21-91

By  
HVM

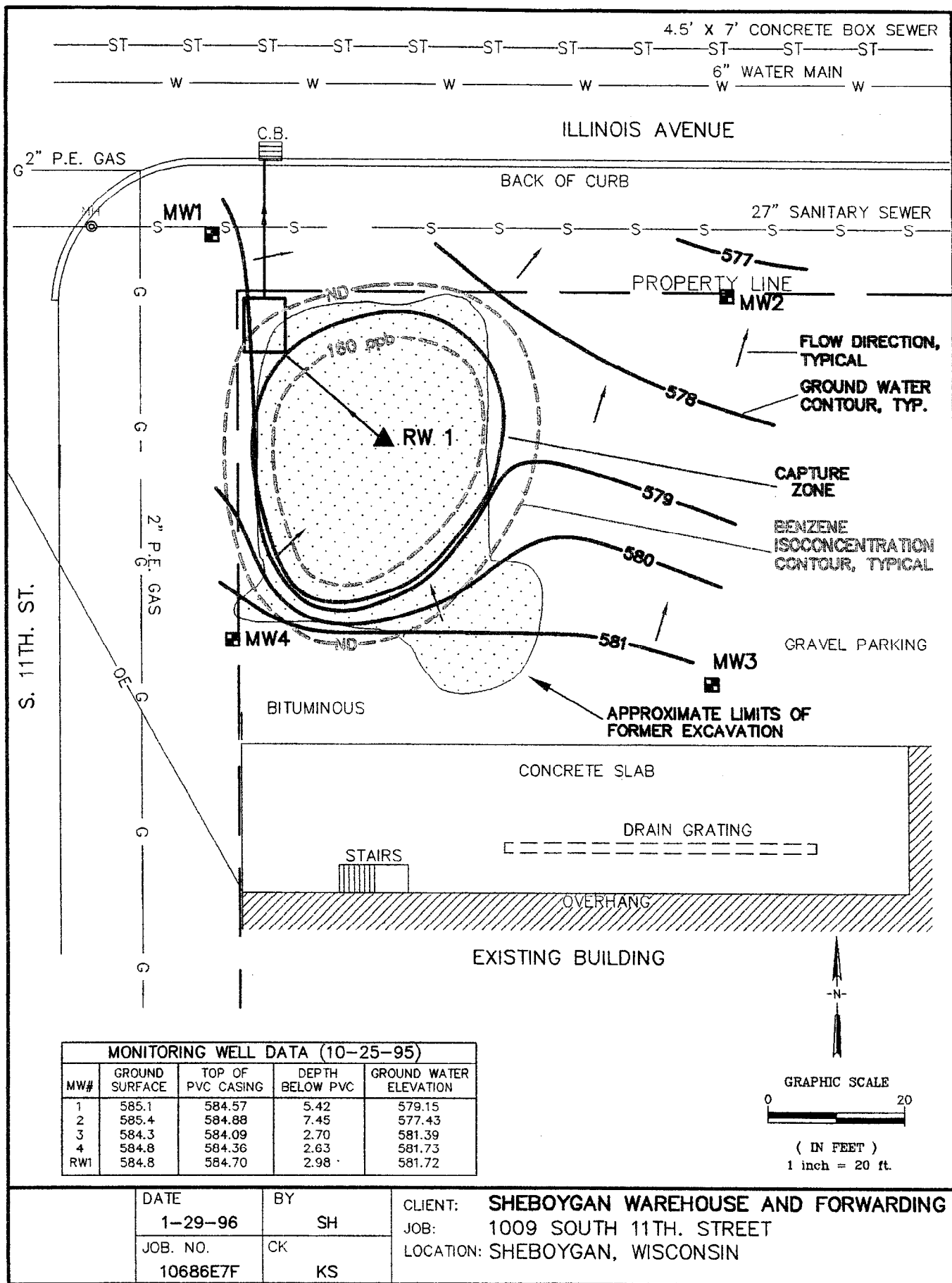
Job No.  
10686E3

Ck  
RCW

F-1

MILLER  
ENGINEERS

FIGURE 1 SITE LOCATION MAP



**TABLE 5**  
**Ground Water Analytic Test Results (August 14, 1997)**

Sheboygan Warehouse & Forwarding  
Project Number: 10686E

Analyte (µg/L)	MW1	MW2	MW3	MW4	RW1	Field Blank	Trip Blank	NR 140 Enforcement Standards	NR 140 Preventive Action Limits
Benzene	ND	ND	ND	ND	<b>160</b>	ND	ND	5	0.5
Ethylbenzene	<0.68	<0.68	<0.68	<0.68	22	<0.68	<0.68	700	140
MTBE	ND	ND	ND	*0.268	ND	ND	ND	60	12
Toluene	<1.5	<1.5	<1.5	<1.5	2.6	<1.5	<1.5	343	68.6
1,2,4-Trimethylbenzene	<1	<1	<1	<1	13	<1	<1	--	--
1,3,5-Trimethylbenzene	<0.86	<0.86	<0.86	<0.86	12	<0.86	<0.86	--	--
Total Xylenes	<1.8	<1.8	<1.8	<1.8	10	<1.8	<1.8	620	124
Total PVOC	<LOQ	<LOQ	<LOQ	<LOQ	219.6	<LOQ	<LOQ	--	--
Nitrogen-Nitrate** (mg/L)	*0.004	0.7	0.01	*0.003	0.15	—	—	10	2
Sulfate (mg/L)	150	0.18	0.18	10	95	—	—	250	125
Dissolved Lead (µg/L)	ND	ND	ND	ND	ND	—	—	15	1.5
Dissolved Iron (mg/L)	<b>6.5</b>	<b>7</b>	<b>19</b>	<b>31</b>	<b>18</b>	—	—	0.3	0.15
Dissolved Manganese (mg/L)	<b>0.33</b>	<b>0.58</b>	<b>1.71</b>	<b>2.7</b>	<b>0.82</b>	—	—	0.05	0.025
Dissolved Oxygen (mg/L)	0.4	0.4	0.3	0.4	0.4	—	—	--	--

ND = Compound concentration below Limit of Detection (LOD)

< = Compound concentration below Limit of Quantification (LOQ)

\* = Compound detected between LOQ and LOD

\*\* = Nitrate sample exceeded holding time before analysis; result may be lower than actual concentration

Bold denotes exceedance of NR140 Ground Water Enforcement Standards

PVOC = Petroleum Volatile Organic Compounds (EPA Method 8020)

**TABLE 4: Historic Ground Water Analytic Results (µg/L) (Continued)**

MW2								
<u>Date</u>	<u>Benzene</u>	<u>Ethyl Benzene</u>	<u>Toluene</u>	<u>Xylenes</u>	<u>Total BETX</u>	<u>Total PVOC</u>	<u>Total VOC</u>	<u>GRO</u>
18-May-90	ND	ND	ND	2	2	--	--	ND
06-Sep-91	ND	ND	ND	ND	ND	--	ND	ND
16-Mar-92	ND	ND	ND	ND	ND	--	ND	ND
30-Apr-93	ND	ND	ND	ND	ND	--	ND	ND
18-May-94	ND	ND	ND	ND	ND	--	3.4	--
16-Feb-95	--	--	--	--	--	--	--	--
27-Jul-95	ND	ND	ND	ND	ND	--	--	--
25-Oct-95	ND	ND	ND	ND	ND	--	--	--
22-Feb-96	ND	ND	ND	ND	ND	--	--	--
24-May-96	ND	ND	ND	ND	ND	ND	--	--
21-Nov-96	ND	ND	ND	ND	ND	ND	--	--
14-Aug-97	ND	<0.68	<1.5	<1.8	<LOQ	<LOQ	--	--

MW3								
<u>Date</u>	<u>Benzene</u>	<u>Ethyl Benzene</u>	<u>Toluene</u>	<u>Xylenes</u>	<u>Total BETX</u>	<u>Total PVOC</u>	<u>Total VOC</u>	<u>GRO</u>
18-May-90	ND	ND	ND	ND	ND	--	ND	ND
06-Sep-91	ND	ND	ND	ND	ND	--	ND	ND
16-Mar-92	ND	ND	ND	ND	ND	--	ND	ND
30-Apr-93	ND	ND	ND	ND	ND	--	ND	ND
18-May-94	ND	ND	ND	ND	ND	--	2	--
16-Feb-95	--	--	--	--	--	--	--	--
27-Jul-95	ND	ND	ND	ND	ND	--	--	--
25-Oct-95	ND	ND	ND	ND	ND	--	--	--
22-Feb-96	ND	ND	ND	ND	ND	--	--	--
24-May-96	ND	ND	ND	ND	ND	ND	--	--
21-Nov-96	ND	ND	1.1	ND	1.1	1.1	--	--
14-Aug-97	ND	<0.68	<1.5	<1.8	<LOQ	<LOQ	--	--

MW4								
<u>Date</u>	<u>Benzene</u>	<u>Ethyl Benzene</u>	<u>Toluene</u>	<u>Xylenes</u>	<u>Total BETX</u>	<u>Total PVOC</u>	<u>Total VOC</u>	<u>GRO</u>
18-May-90	ND	ND	ND	ND	ND	--	ND	ND
06-Sep-91	ND	ND	ND	ND	ND	--	ND	ND
16-Mar-92	ND	ND	ND	ND	ND	--	ND	ND
30-Apr-93	ND	ND	ND	ND	ND	--	ND	ND
18-May-94	ND	ND	ND	ND	ND	--	1.5	--
16-Feb-95	--	--	--	--	--	--	--	--
27-Jul-95	ND	ND	ND	ND	ND	--	--	--
25-Oct-95	ND	ND	ND	ND	ND	--	--	--
22-Feb-96	ND	ND	ND	ND	ND	--	--	--
24-May-96	ND	ND	ND	ND	ND	ND	--	--
21-Nov-96	ND	ND	ND	ND	ND	ND	--	--
14-Aug-97	ND	<0.68	<1.5	<1.8	<LOQ	<LOQ	--	--

< = Compound detected below Level of Quantification (LOQ)



**TABLE 4**  
**Historic Ground Water Analytic Results (µg/L)**

Sheboygan Warehouse & Forwarding  
Project Number: 10686E

RW1								
Date	Benzene	Ethyl Benzene	Toluene	Xylenes	Total BETX	Total PVOC	Total VOC	GRO
19-Jun-87	2278	--	2186	7649	--	--	--	--
18-May-90	2600	150	750	8100	11600	--	--	42000(TPH)
06-Sep-91	820	180	15	177.3	1192.3	--	1403.3	900
17-Oct-91	1100	410	12	290	1812	2652	--	--
09-Dec-91	200	94	6.5	48	348.5	517.5	--	6200
16-Mar-92	10	ND	ND	ND	10	--	10	1
19-May-92	6.3	29	2.1	42.6	80	--	189.6	1200
29-Jan-93	865	367	24.2	168.2	1424.4	--	1676	3500
30-Apr-93	1.8	54.1	9.6	33.2	98.7	--	256	1000
02-Mar-94	423	305	53	573	1354	--	2005	--
18-May-94	381	131	11	116	639	--	929.6	--
16-Feb-95	2280	639	43.8	243.78	3206.6	--	4095.32	--
27-Jul-95	340	94	14	37	485	589.6	--	--
25-Oct-95	180	47	5.3	43	275.3	--	405.3	--
22-Feb-96	340	140	15	89.1	584.1	764.1	--	--
24-May-96	59*	12	2.3	25.3	98.6	162.6	--	--
21-Nov-96	37	ND	ND	1.8	38.8	52.8	--	--
11-Apr-97**	220	27	5.6	34	286.6	351.2	--	--
14-Aug-97	160	22	2.6	10	194.6	219.6	--	--

\* = Sample collected on June 13, 1996

\*\* = Sample collected as system influent

MW1								
Date	Benzene	Ethyl Benzene	Toluene	Xylenes	Total BETX	Total PVOC	Total VOC	GRO
18-May-90	ND	ND	ND	ND	ND	--	--	--
06-Sep-91	ND	ND	ND	ND	ND	--	ND	500(TPH)
16-Mar-92	ND	ND	ND	ND	ND	--	ND	ND
30-Apr-93	ND	ND	ND	ND	ND	--	ND	ND
18-May-94	ND	ND	ND	ND	ND	--	ND	--
16-Feb-95	--	--	--	--	--	--	--	--
27-Jul-95	ND	0.39	ND	ND	ND	0.39	--	--
25-Oct-95	ND	ND	ND	ND	ND	--	--	--
22-Feb-96	ND	ND	ND	ND	ND	ND	--	--
24-May-96	ND	ND	ND	ND	ND	ND	--	--
21-Nov-96	ND	ND	ND	ND	ND	ND	--	--
14-Aug-97	ND	<0.68	<1.5	<1.8	<LOQ	<LOQ	--	--

< = Compound detected below Level of Quantification (LOQ)